

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

16 Cr. 644 (SHS)

5 MARIO RINCON-VEGA,

6 Defendant.

Conference

7 -----x  
8 New York, N.Y.  
9 January 15, 2019  
2:10 p.m.

10 Before:

11 HON. SIDNEY H. STEIN,

12 District Judge

13 APPEARANCES

14 GEOFFREY S. BERMAN

15 United States Attorney for the  
Southern District of New York

16 BY: DAVID ZHOU

Assistant United States Attorney

17 DAVID S. ZAPP

18 Attorney for Defendant

1 (Case called)

2 MR. ZHOU: Good afternoon, your Honor, David Zhou for  
3 the government.

4 THE COURT: Good afternoon.

5 MR. ZAPP: David Zapp for Mr. Rincon.

6 THE COURT: And Mr. Rincon is present. You may be  
7 seated, gentlemen.

8 Mr. Zhou, speak to me, sir. This is the first time  
9 that this defendant has been before me.

10 MR. ZHOU: Yes. That's correct, your Honor. Mr.  
11 Rincon-Vega is charged with one count of conspiracy to commit  
12 money laundering. He was arrested on November 8, 2018 in  
13 Laredo, Texas. He was presented there and then subsequently he  
14 was moved up to the Southern District for presentment where he  
15 was presented in magistrate court on December 6, 2018, your  
16 Honor.

17 At this time we have been in discussions about  
18 possible pretrial resolution with defense counsel, and we are  
19 hopeful that we will get there, your Honor.

20 I believe the defense will consent to this, but we  
21 would like to request that your Honor set another conference  
22 approximately three months out to give the parties an  
23 opportunity to continue those discussions.

24 THE COURT: I have another conference in this matter  
25 in March. Why don't I set it for the same date and see where

1 we stand there.

2 MR. ZHOU: That makes sense, your Honor.

3 THE COURT: I would like to move the case forward  
4 without separate schedules.

5 MR. ZHOU: That sounds fine for us, your Honor.

6 THE COURT: I take it he has entered a plea of not  
7 guilty?

8 MR. ZHOU: Yes, your Honor, I believe so.

9 THE COURT: Mr. Zapp.

10 MR. ZAPP: Yes, your Honor. I agree with the  
11 government. I think the March date would be appropriate.

12 THE COURT: I'll adjourn this matter until March 15 at  
13 2:30 p.m. And what I would like is motions to be due at that  
14 date. So if you have motions, make them. If you're on the  
15 cusp of resolving it, you can move to adjourn that. But as of  
16 this time keep it on track with others in the case. I'll say  
17 that will be the motion due date. Have your discussions trying  
18 to resolve it and do it expeditiously.

19 Next conference then March 15, 2:30 p.m. All motions  
20 due.

21 Anything else?

22 MR. ZHOU: Your Honor, from the government, just a  
23 motion to exclude time with respect to this defendant until the  
24 next conference, March 15, 2019, to give the parties an  
25 opportunity to continue discussions; and if those discussions

1 do not bear fruit, for the government to produce discovery and  
2 for the defense to consider any possible motions.

3 MR. ZAPP: No objection.

4 THE COURT: On motion of the government and the  
5 defense stating there is no objection, I exclude time from  
6 today until March 15 of this year. I take it the motion was  
7 made pursuant to 18 United States Code Section 3161(h)(7)(A),  
8 and I make the finding that the ends of justice outweigh the  
9 interests of the public and Mr. Rincon-Vega in a speedy trial.  
10 The purpose is to enable the parties to attempt to resolve this  
11 consensually or for discovery to be made and any appropriate  
12 motions made.

13 Thank you. Time is excluded until March 15.

14 (Adjourned)

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